THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

On Tuesday, the twentieth day of December,

two thousand and five.

W.P.No.5098 of 1996

T. Rama Murthy & others.

....Petitioner.

vs.

Government of A.P., represented by its Secretary, Revenue Department, Secretariat, Hyderabad and others.

.....Respondents.

O R D E R:

Petitioner filed this petition is seeking a direction to the respondents not to interfere with their possession over the land in S.Nos.382/A and 387/B of Reddypalem village, Guntur sivar, since it is not covered by the master plan and is beyond the purview of the provisions of the Urban Land (Ceiling and Regulation) Act 1976 (for short 'the Act') in view of the ratio in **Atia Mohammadi Begum Vs.State of U.P[1].**

Since the apex Court in **State of A.P.& others Vs. N.Audikesava Reddy[2],** held that master plan prepared as per law in force even subsequent to enforcement of the Act has to be taken into consideration to determine whether a particular piece of land is vacant land or not and, and to that extent, **Atia Mohammadali Begum's** case (supra) is not correctly decided, petitioners are not entitled to the relief sought in the petition.

Hence the writ petition is dismissed. No order as to costs.

JUSTICE C.Y.SOMAYAJULU

20th December 2005.

BCS